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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,517	02/27/2004	Yung-Chang Chen		6899

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EXAMINER

MAGUIRE, LINDSAY M

ART UNIT PAPER NUMBER

3634

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/788,517

Applicant(s)

CHEN ET AL.

Examiner

Lindsay M. Maguire

Art Unit

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 15-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This Final Office Action is in response to the application filed on February 27, 2004, the election filed on December 7, 2005, and the amendment filed on March 21, 2006 wherein claim 1 has been amended, claims 2-7 have been cancelled, and new claims 15-18 have been added.

Election/Restrictions

Applicant's election without traverse of claims 1-7 in the reply filed on December 7, 2005 is acknowledged.

Claims 8-14 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected group, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on December 7, 2005.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 15 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 4,155,447 (Edwards '447).

Edwards '447 discloses a cassette for supporting substrates, comprising: a pair of frames (12, 14); a pair of side plates (16, 18) facing each other and interconnecting the frames, the side plates comprising supporting members (23) protruding inwardly; and at least two division plates (20, 22) orthogonally disposed between the frames, one of which being parallel to the side plates (12, 14; see Figure 1) and having supporting members (23) protruding therefrom; wherein the frames (12, 14), the side plates (16, 18) and the division plates (20, 22) define at least three spaces (defined by the spaces between the plurality of supporting members 23, Figure 1) for holding substrates on the supporting members (the device of Edwards is fully capable of performing the function as set forth in claim 1, see Figures 1 and 2). Furthermore, Edwards '447 discloses that the division plates (20, 22) are moveable relative to the frames, and thus the spaces are moveable (column 2, lines 11-14).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edwards '447, alone.

Edwards '477 discloses a device as substantially as claimed above, as advance above, and additionally, that two of the division plates (20, 22) are separately disposed from each other (see Figure 1), and are parallel to the side plates. However, Edwards '477 differs by not requiring: (a) four division plates orthogonally disposed between the frames (claim 16, lines 1-4); and (b) that the other two division plates have no supporting members protruding therefrom and extend perpendicular to the side plates (claim 18, lines 1-3).

In regards to (a) and (b), Edwards '477 does disclose that are at least two division plates (column 1, lines 17-18). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include more than two division plates, (i.e. four), for such basic reasons as expanding the storage capacity, effectively holding substrates of a variety of different lengths without the loss of space in shipping, etc. Additionally, it would have been obvious to one of ordinary skill in the art to have these two additional plates not include supporting members for such basic reasons as cost, to not cause a pressure concentration on the substrate, etc.

Response to Arguments

Applicant's arguments with respect to claim 1 has been considered but is moot in view of the new ground(s) of rejection. It is additionally noted that Edwards '477 does disclose two divisional plates that are *orthogonally disposed* between the frames, one of which *being parallel to the side plates* (see Figures 1 and 3).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lindsay M. Maguire whose telephone number is 571-272-6039. The examiner can normally be reached on M-F: 7-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (571) 272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer E. Novosad
Primary Examiner
Art Unit 3634

Lindsay M. Maguire
March 29, 2006 


RICHARD E. CHILCOTE, JR.
SUPERVISORY PATENT EXAMINER